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THE
S P E E C H
OF THE
RIGHT HONOURABLE
LORD VISCOUNT CARLETON,
CHIEF JUSTICE
OF THE
COURT OF COMMON PLEAS,
IN THE
HOUSE OF LORDS OF IRELAND,

ON MONDAY, THE 10TH OF FEBRUARY, 1800,

ON THE FOLLOWING RESOLUTION:

"That in Order to promote and secure the essential Interests of *Great Britain and Ireland*, and to consolidate the Strength, Power, and Resources of the *British* Empire, it will be adviseable to concur in such Measures as may best tend to unite the two Kingdoms of *Great Britain and Ireland* into one Kingdom, in such Manner, and on such Terms and Conditions, as may be established by Acts of the respective Parliaments of *Great Britain and Ireland*."

D U B L I N :

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1800.

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S P E E C H, &c.

LORD CARLETON premised, that after the discussion which the subject had undergone in the last Session of Parliament, he had hoped no doubt would have been expressed as to the competence of the Legislature to form an Incorporating Union—however as a noble Viscount had denied its authority, he would deliver his sentiments to the House, as well with respect to the Power of Parliament, as on the wisdom of the measure, thinking as he did, that the subject could not be too much discussed—he then spoke in substance as follows:—

IN every independent state there must be a sufficient power vested somewhere, to ensure the safety and enlarge the happiness of the community. Such authority must reside in that part of the government wherein all the powers of the state are combined, and wherein is vested the sovereign uncontrollable legislative power of the
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community. As to the specific part of the state which is the depositary of such authority, that must be regulated by the nature of each particular government; but it is of the nature of all governments, that such uncontrolable authority must exist in some known branch of the government. The legislative authorities of the Parliaments of Great Britain and Ireland are, in this respect, in point of power, the same; and if the former is possessed of such authority, so must the latter; —it cannot be denied to the latter, without being also with-held from the former. Where then is such power vested in either country? Is it in the grand mass of the people; or in that part of the mass which is distinctly (in exclusion of the remainder) invested with the power of electing persons to represent the entire community; or in the Parliament consisting of King, Lords, and Commons, composed of all the estates of the people of the realm? As to the first, *the mass of the people*—the impracticability of exercising perfect democratic legislation, and of administering government by the immediate interposition of the mass of the people, has rendered it necessary to deposit the sovereign power in the Legislature, as unqualified and unrestrained as the exigencies which may call for its interposition, and not requiring from the mass of the people an express antecedent authority, or a subsequent express approbation, either of which
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would give existence to those inconveniencies that the formation of Parliament intended to avoid. The law prescribes no mode of convening them, it would be impracticable; were they assembled, their want of knowledge, habits of life, and tumultuary dispositions, would render them unfit for deliberative discussion in proportion to the importance of the subject to be decided upon, and no government could exist under such a legalized revolutionary tribunal. A government would be singularly constructed for instability, which, in its original formation, established a tumultuary capricious power of daily overthrowing the government, and substituting *anarchy* in its stead as an *improvement*. Whatever power of dissolving the government may be claimed in the name of the people, if the sovereign power of the state were abused, the constitution neither has, nor could have provided for it; but the mass of the people is so completely (with a view to preserving the peace of the community) excluded from deliberative discussion, that it is not even entrusted with the right of election; and that power is vested in a select body, possessed of certain qualifications, distinguishing them from the rest of the mass of the people; the constitution preferring them as more interested, and more likely to exercise the elective franchise with temper and discretion. Even those are not permitted to assemble in mass, as being

impracticable, and, if practicable, being dangerous, but they are divided into districts suited to public convenience and public safety. According to our constitution, the different independent estates, (created in order to protect the various interests of the community), controul and balance each other; and in that equipoise may be found the permanence of the constitution, and of all those blessings which it is the object of the constitution to preserve. That wise distribution of authority would be useless, if the previous assent or subsequent confirmation of the mass of the people were necessary to give validity to the acts of the Legislature; all the authorities of the state would be controuled and annihilated by this claim of absolute revolutionary power, and the moment fixed upon by the populace as proper for their interposition, and in which they met to decide, the democratic power of the assembly would extinguish the Legislature, and put an end to the monarchy. But, in truth, the populace in mass is (on principles of true political expedience) excluded from all interference, and whatsoever powers respecting Parliament exist in the people, *acting out of Parliament*, are to be found in that class alone in which the right of election is vested, as arising merely *out of* that right, and *confined* to it. The power which is contended for is not deposited in that class; they do not constitute the third estate, as to matter of legislation, personally

personally and directly interfering in the deliberations of Parliament; their power is to elect persons to represent the entire body and property of the people, (not to define the extent of their authority,) and in the elected upon their election vests the whole power of the third estate,—an authority in its creation unlimited, save by that controuling check which is vested in the other branches of the Legislature. Each of the several estates of which Parliament is composed, is equally invested with a power of controuling the acts of the other estates, and is equally exempt from every constitutional restraint, save that which its co-estates have a right to impose. The electors are, *as to the purposes of election*, the body of the people, and exercise its authority in selecting those persons whom (in consequence of the authority vested in them by the constitution), the people are supposed to prefer; the writ under which they meet and elect, prescribes a complete, and not a qualified and restrained representation. The electors cannot restrain, nor limit the authority of the elected; *they* elect the representatives, and then the *constitution* ascertains their authority, viz. that of the third estate. The wishes and advice of the people at large may convince the judgment and influence the conduct of the representatives, but they cannot before election qualify, nor after it recall, the complete authority which

which the very *act of election* transfers to the elected.

The Commons, to all *legislative purposes*, are the people, subject to no other controul than that which the constitution has entrusted to the other estates; to give to the electors any controuling power over the Commons, would revoke the authority committed to the Commons by their election, would constitute the electors the third estate, and transfer to them the power of controuling the other estates. The power necessary for attaining the object in contemplation can rest only in the Parliament, described by Pettus to be "a representation of the kingdom in a less body than itself," consisting of all the estates of the realm, combining all of its powers, and in its acts involving the united consent of all the people of the realm. The will of the mass of the people under the rank of Peers, as to matter of legislation, is vested in their representatives, and when it concurs with that of the other estates, the combined assent of the whole community is authentically and definitively announced by the Parliament, the only constitutional and practical organ of the public will. It is necessary more particularly to examine whether a Union considered in the abstract, is an object not coming within the power of Parliament; then whether there are any particular circumstances in the specific Union proposed,

proposed, which render the Parliament incompetent to establish it, and therein whether a specific notification of the cause for convening the Parliament, in the proclamation, or in the writs under which the Parliament assembled, is necessary? If an incorporation with a more powerful country, possessed of an admirable constitution, affording security, wealth, and happiness to its subjects, is the medium through which a participation of these blessings is to be procured, the power of forming such an Union must exist in some part of that community, to which such an acquisition may be not only beneficial, but essentially necessary for its existence. Here it has been urged that "the formation of an incorporating Union is so transcendently important and difficult, and so essentially varies the constitution of the government of the country, and the frame and condition of its Parliament, that the Parliament is not competent to make such a change in itself, and in the Constitution." To demonstrate that such a change may be made, history affords a variety of instances; the very objection admits it, though it denies that Parliament is the depository of the power; and if the enlightened parts of the community are not possessed of talent sufficient for the discussion, it will be in vain to search for sufficient ability in the tumultuary and uninformed mass of the people. That the power of the Parliament is sovereign and uncontrollable, is
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the opinion of all the great lawyers, and most of the other learned men who have discussed this species of topic, from the time of Lord Chief Justice Coke, to that of Judge Blackstone; and some observations of Coke's, which may be perverted to a contrary tendency, do not relate to any new organization of Parliament, but to the inability of Parliament to circumscribe and limit the supreme authority of whatever may be the future Legislature of the country, by attempting to deprive it of its power of repeal. The opinion of the Judges, in the reign of James the First, that an incorporating Union between England and Scotland could not be adopted, *unless the Parliaments of both countries enacted a perfect uniformity of laws*, impliedly affirms the unlimited power, and the competence of Parliament to effect a Union, though the Judges thought (erroneously, as experience has since demonstrated), that without such a uniformity of laws a Union would be ineffectual. That this sovereign authority is unrestrainable, though it should relate to an alteration in the constitution, is established not only by principles, and the opinions of great and eminent men, but also by the uniform practice of many ages. The Reformation, changing the established religion with all the penal consequences of the change, was an important alteration of the constitution effected through the medium of Parliament. Every plan of reform
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which has been adopted or proposed was in the former case, and would have been in the latter (if adopted) a change of the constitution, effecting a variation of a constituent branch of the Parliament, and tending materially to affect the relative weight and influence of the other co-estates. *With respect to the electors*, their qualifications have been prescribed and regulated by statute, and all persons not possessed of the legalized qualifications, have been excluded from voting, and *their franchises* have been annulled; entire classes of people have been disqualified from voting on account of their religion, of their particular delinquency, or of a bias and influence supposed, from their particular situations, to operate on them, in the exercise of the elective franchise; and, on the other hand, a right of voting has been created in favour of new classes of people, by the institution of new boroughs. *With respect to the members of both houses*:—By the dissolution of the monasteries, the abbots and priors were excluded from sitting amongst the spiritual Peers; by the institution of particular oaths, and a declaration, Catholic Peers are in effect excluded, and in particular instances offending Peers have been individually disqualified. The Legislature has made part of the House of Peers of Great Britain *septennially elective*, instead of being *perpetually hereditary*, thus ren-

dering their tenure different from that of the residue of the Peers, and introducing into the House of Peers the novelty of representation. As to persons elected to the House of Commons, the qualifications which are required from them exclude those who are not possessed thereof, and persons holding particular offices, and certain pensions, are incapacitated from sitting. The disqualification of particular classes of voters must produce a material change as to the persons elected; old boroughs have been abolished, new have been created, and Wales, Chester, Durham, and Berwick, have had the right of representation conferred on them, and the number of representatives has been proportionally enlarged. The prerogative has been altered by the Legislature; the Revolution changed the Monarch; the acts regulating the succession of the Crown have altered the person to whom the right is to devolve, and thus the person of an essential component constituent part of the Legislature, is varied by the Legislature itself. The Legislature has also varied the term of its own duration; sometimes diminishing, and at others enlarging it, and in the latter case resting the validity of all the acts passed within the enlarged period upon the capacity of the Parliament to extend its duration. This part of the case need not be more strongly expressed than in the words of Blackstone:

“ Parliament

"Parliament may change and create afresh the constitution of the kingdom and of the Parliament." It is not necessary to rest on analogy, as the Union of England, and Scotland, is a direct authority on the point; it is the decision of the Parliaments of the two countries, after powerful opposition, great debate, and mature consideration: the result of a century of mutual efforts, and since acted upon during almost another century, and now constituting a corner-stone of that British fabric which has been since erected.

All the great characters who previous to the Union had assisted in negotiations, or in parliamentary commissions to effectuate a Union—the Judges in the reign of James the first; all the eminent statesmen and politicians—the distinguished assertors of civil liberty, learned lawyers, and other great personages who supported the Union, giving the co-operation of their knowledge, talents, patriotism and zeal, either in parliament, or under its sanction and authority, bear testimony to the competence of parliament: the most eminent writers on commerce, in recommending a similar incorporation of Great Britain and Ireland, cannot leave the world in doubt as to their being of opinion that Parliament is undoubtedly competent to the business, however

however great and important it may be, and in support of their sentiments the opinion of Molyneux the great assertor of Irish independence is not equivocal. The sentiments of the privy council of Ireland in 1676, and of the houses of lords and commons in queen Ann's time, are highly expressive of their opinions of the sufficient authority of the parliament to effectuate a legislative incorporation, and of their anxious desire to have that power fully executed. The several component parts of the British Parliament have distinctly delivered their opinions on the now projected Union, and in support of it. The acquiescence of almost a century, without a doubt expressed of the validity of the Union, ought to deprive every mind which is capable of deciding, of hesitation on the subject. Consider the consequences which would attend the impeaching the validity of that great measure—the union of England and Scotland would be void; his Majesty would cease to be king of Scotland, as he derives his title under the Act of Union merely; and every statute passed by the parliament of the united countries would be null and void; all things would be brought back to the state in which they stood at the time of passing the act of Union, with these discriminating circumstances, that Scotland after having, during almost a century, enjoyed the benefit of a Union,

a Union, would be a separate kingdom, totally unconnected with England, and possessing a claim to be repaid all those supplies which it had contributed to the support of the residue of the empire; the crown of that country would be torn from his Majesty's head, every thing which has been done in England under any act of parliament passed since the Union, would be illegal, and an entire new system of legislation must be gone through, with a retrospective sanction. But it is made a question "whether, admitting the competence of Parliament to establish a Union under some circumstances, it has sufficient authority where the number of the representatives of Great Britain is to exceed those of Ireland?" If the competence of Parliament to form a Union is once established, the number of the representatives to be allotted to either country, can only influence the *wisdom*, but not affect the *power* of the legislature. It is impossible to foresee the various instances wherein the members for that country to which may be allotted the smaller number of representatives, may by uniting with a class of the representatives of the other country, guide the decisions of Parliament; and it might be as well insisted upon, that the parliament of Great Britain was incompetent to enable the Irish representatives to invest the minority of the British Parliament, with

with the power of controlling the majority. The genius, and general spirit of the constitution will be preserved, the estates of Parliament will still remain the same, the Parliament will be enlarged in proportion to the accession of territory on the one hand and the other; the consolidation of the two Parliaments will leave to both combined, the whole power over the united kingdom, which each had separately over the respective kingdoms; the members for each country will be the representatives of both, and each kingdom will send to Parliament that proportion of representatives which its population, its wealth and resources, its contributory means, the advantages which it is to confer, or receive, and in the general, its imperial importance entitle it to. In the discussion of that subject, the discretion and wisdom of both Parliaments will be called into action, but neither Parliament will be deprived of its power to interpose, because both countries cannot have at the same time a majority of representatives. That was the opinion of the Scotch Parliament, as it agreed to accept of a smaller number of representatives for Scotland; and also of the British, as it considered the Scotch act to be valid, and a legal foundation for England's incorporating. The Union would not have been valid if either
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of the contracting parties had not sufficient authority.

Though the Scotch Parliament was not in some instances similar to the English, yet, its competence to diminish the numbers of its representatives, and to incorporate its Parliament with that of another kingdom, having a greater number of representatives, would on principle have been equally open to objection as the competence of the English Parliament, if England were to have returned the smaller number of representatives. Nothing can be less constitutional than to suppose it necessary that whensoever there is to be any new modelling of any of the estates of the parliament, the proclamation or writs should state the special causes for calling the parliament; such was not done at the period of the revolution, or of the Union, or at any other, when the parliaments of England, Great Britain or Ireland, passed statutes producing such an effect—when once the estates are convened, they constitute a complete Parliament, competent to every purpose upon which Parliament can act, whatsoever may have been the impelling motive for convening them.

In order to ascertain whether that which in any case is relied upon as an Act of Parliament
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is really such, and *competent to effect its professed object*, it is sufficient to find it on the Parliament Roll, and it never was deemed necessary to examine the proclamation or writs under which the Parliament was held, to see whether therein was continued a recital of the subject matter of the act: whether the legislature has spoken, and what it has said, must necessarily be an object of enquiry; but that being once ascertained, it never could be necessary to examine into the form of the proclamation or writs, in order to establish the competence of its authority. Neither principle or practice warrant such doctrine, as applied to the English or Irish Parliaments. Indeed in the instance of the Scotch Parliaments, which enacted the Union, the writs recited *That*, as one of the causes for calling the Parliament: However that could not have been done as a matter of necessity, for the writs also recited the "existence of a war," a recital whereof would have been by no means necessary to authorize the Parliament to discuss it. In no part of the subsequent proceedings respecting the elections, is there any further mention of Union, nor in the discussion which took place in the Scotch Parliament with regard to it, was it urged, (though the subject was ably debated) that the Parliament

ment derived any additional power from the writs having contained such a recital.

As to the expediency of the Measure proposed.

If the question be considered with reference to the *welfare of the empire*, there is scarcely an occasion for doubt. The connexion between independent legislatures must be precarious: distinctness of interest, popular prejudices, local influence, different degrees of information, and that liability which different understandings have of receiving opposite impressions from the same circumstances, must expose the connexion to perpetual risque of being dissolved by those distinct legislatures, differing on questions relative to peace, wars, treaties, supplies, commercial arrangements, parliamentary-reform, military discipline and regulations, unity of military force, sameness of the person, privileges and powers of a regent, and other imperial concerns. The tendency of such a connexion to dissolution, the interest which foreign nations may have in promoting such an event, and the probability of its taking place, must alarm the apprehensions of that country which is superior in wealth and power, in proportion to the vicinity of the two kingdoms, and to the encreasing prosperity, strength and importance of the inferior country; the result must be rivalry and jealousy, depression of the inferior kingdom,

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and weakness and insecurity of the entire empire. An incorporation assimilating all the interests of the two countries to each other, identifying their executive and legislative authorities, giving uniformity to all the acts of their legislature and executive power, and precluding discordance tending to separation, would concentrate the talents, spirit, and effective force of the different kingdoms, and would direct them by one impulse, and as it were one mind, to preserve the liberties, advance the wealth, encrease the power, and firmly establish the prosperity of the whole empire. Thus the security, the common liberties, the civil and ecclesiastical establishments, the welfare and happiness of all the several members of the empire would, in the strength which their inseparable Union afforded to that empire, find their own firm, permanent, confirmation and support. French principles calculated to overturn all established governments, and to root out all religion, morality and social order, have already destroyed the constitutions of some nations, and in this kingdom concurring with certain popular topics have hazarded its existence, by a most dangerous rebellion. Separation from Great Britain, as the medium of establishing a republic on the principles, and under the influence and controul of France, rendering us the slaves of an arbitrary power, which

which has assumed the semblance of a free republic, was a declared object of the rebellion: a measure thus aiming destruction at this country, ought to be opposed by the only practicable scheme which can be devised of consolidating the interests, pursuits, wealth, power and spirit of the two kingdoms. But however the empire at large might be benefited, it will be proper to consider the measure with respect to its *probable influence on Ireland*. When we call to mind the political contests, and various schemes of innovation, the religious animosities and struggle for power between sects, on the one side having a considerable superiority of numbers, and on the other of property and influence, and the succession of disturbances and tumults with which this country has been for a series of years infested, and which (aided and directed by French emissaries and machinations) at length brought forth a horrid rebellion, having as its avowed and real object, the separation of this kingdom from Great Britain, the destruction of the monarchy, and the overthrow of the constitution in church and state, it must occur to us, that our past system has been inefficient, and that some great measure must be resorted to, with a view of relieving us from the complicated difficulties which oppress us.

By what system are we so likely to attain our object, as by communicating a share of our power and resources to, and identifying our legislature and interests with that great country, which has stood forth the champion of the civil liberties of the world! to secure to ourselves a full participation of its power, its wealth, its dominions, and its protection? In the magnitude of its unparalleled exertions, we at the same time behold the immensity of its resources, the spirit and firmness of its determinations, and the infinite greatness of the object in contest. Our very existence depends on the event of the contest, and on upholding the power of Great Britain; we must be connected either with France or Great Britain, the former would be the connexion of *tyrant* and *slave*, the latter, of *freeman* and *freeman*, possessing equal power, enjoying equal liberty, and reciprocally communicating security, wealth, and happiness. We must necessarily in preservation of our dearest rights, contribute to the common cause, with the success of which our being is inseparably connected, and if a just, and fair rate of contribution be stipulated, and we call to mind the large military force which the turbulent spirit of this country will require, even in times of peace; and other measures which may be necessary to establish its tranquility, we probably will find

find that our contribution to the general expenses of the empire, as part of it, accompanied by defence and security, would considerably fall short, in peace, as well as in war, of those which we would sustain as an independant state, unaccompanied by tranquillity or defence. In order to decide as to the expedience of adopting an incorporating Union, we must advert to the *peculiar difficulties* which this country labours under, and see whether a Union proposes any redress to them; and in doing so, we must recollect that our choice will not be between different states of perfection, but in the adoption of the smaller evil. Schemes for the reform of Parliament, and for admitting Catholics to sit therein, were the real primary objects of some, and the colourable objects of others of the agitators who have interrupted the happiness, and disturbed the welfare of this kingdom; and artful demagogues keeping up a direct communication with France, and combining those pursuits with the dangerous and destructive principles which the French Revolution has generated and disseminated, have at length boldly attempted to separate this country from Great Britain, and to overthrow the monarchy and constitution of Ireland. A union of legislation, of interests, of objects and of resources making the constitution of Ireland part of the constitution

tion of Great Britain, constituting the empire the guarantee of the whole, and rendering a change in the former impracticable without effecting at the same time an equal change in the latter, would render attainment so difficult, success so precarious, and attempt so dangerous, that a pursuit holding out so little temptation, and so little prospect of a fortunate termination, would lose its influence; and tranquillity might be found in the improbability of effecting innovation.

Such an incorporation would entitle us, for a reasonable quota of contribution, to call forth the aid of all the resources of the empire, and would direct the power of the whole empire to the support of every part of the state, repelling every attempt to injure any part of that Union, in the preservation whereof the empire must be so importantly interested.

As to Reform in Parliament.

Credulity, practised upon by the artful misrepresentations of designing men, has substituted politics in the place of honest industry, has made loyalty give way to faction, and has kept the kingdom in a constant state of fermentation during many years. A reform adopted here, would lead to a similar change in Great Britain, and it would be

be difficult to withstand it there, after it had taken place here; or in the dissimilar constitutions of the parliaments of the two countries, the chances of separation would be multiplied.— Can we be surprized then, that Great Britain should be anxious to identify the legislatures, the interests and the resources of the two countries, to avoid either the overthrow of its own constitution, or a separation from Ireland, or perhaps both? We ought therefore, with a view to preserving the connexion of the countries, and the religion, property, liberty, and constitution of this kingdom, to endeavour to oppose the principle of reform, (which might put all those at hazard,) and to raise a barrier not easily to be surmounted.

After a Union, Reform of the Irish part of the representation would be unattainable without a reform of the entire of the Parliament of the united kingdoms, and we might rely upon the sober and steady attachment of the people of Great Britain, to a constitution which their valour had procured, their wisdom had formed, and time had matured, to defend it against factious reformists. The chance of success in effecting a reform, would be removed to so great a distance, that its impracticability would check speculation, and prevent efforts promising
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only danger in the attempt, and defeat as the result.—But if the idea of dividing the Irish share of representation amongst the counties, cities, and *open boroughs* shall be adopted by Parliament, as great an effort will be thereby made towards parliamentary Reform, as political wisdom permits.

As to Popish Representation.

Neither the protestant influence, property, or religion, might be safe, as the Parliament of Ireland is at present constituted, if catholics were admitted to seats in Parliament.—The desire of power, which presses forward the claim to *admission*, would, when that was attained, endeavour to overthrow every barrier against its *extension*—the property of protestants would be wrested from them, and the protestant religion would cease to be the religion of the state—whilst there is a probability that superiority of numbers may force the gratification of the claim, with all those advantages that according to the present constitution of this country might be expected as the result, the demand will be repeated, and enforced by means likely in the opinion of its partisans to procure success, at the same time hazarding the existence of the community.

Demands

Demands thus brought forward, as matters of *right*, and rejected as inadmissible *usurpations*, must perpetuate jealousies, and contest for power, and leave no chance of our being relieved from our present embarrassments.

But establish the Union, and by express stipulation (co-operating with the interest and power of the protestant population of the whole empire,) make the church establishments of England and Ireland the same, then the impracticability of shaking the religion of the *entire* state, will restrain the attempt to do so, in a *part* of it.—Perhaps after the Union, the situation of the Romish clergy may be meliorated—better incomes may be afforded to them, better pastors to their congregations, and better subjects to the state.

Whether a period may arrive, when it may be consistent with the policy of the empire, and the safety of the state, to admit them to seats in the Parliament of the united kingdom, I will not pronounce; but if the present constitution of this country were to continue, it would be for ever impracticable.

After a Union they might have some chance of such admission, as the preponderant weight
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of the protestant interest of the whole empire, in the united parliament, might be sufficiently powerful to check their exertions, and to render their admission not dangerous:—But without a Union they never can, with the free consent of the protestants of Ireland, attain power to be directed to the annihilation of the protestant religion, and protestant rights.—So long as our parliament remains as at present constituted, the chance however remote of forcing the claim, may encourage perseverance of attempt—after Union merit alone can forward the claim, and its being devoid of danger can alone induce the state to yield to it.

Thus they will have every inducement to desert the claim, or if they persevere in it, to pursue their object by such means, as may demonstrate how deserving they are of success.

To the Catholics, Union promises security for permanent religious toleration, and a chance of extension of temporal rights and privileges.—To the Protestants, guaranteed and lasting pre-eminence of their religion, with a preference, though not an exclusive claim to influence and power.—To both, protection of their civil liberty, their persons, their property, and the fostering interposition of an imperial legislature,

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to heal their differences, calm their animosities, and by a wise, systematic, and steady conduct, to prevent the renewal of calamities which must again occur, if those causes which heretofore occasioned them, are suffered to exist.

If an Union produces beneficial effects as to reform, and Catholic representation, those who are actuated merely with a view to those objects, will be detached from a confederacy against the liberties of their country, and the existence of the state. As the improbability of separating the two kingdoms encreases, the inducement to attempt it lessens: apprehension on the one side diminishes, and expectation on the other is checked, foreign policy loses its incentive to interpose; domestic faction is repressed by the encreased difficulty of succeeding; and the direction of the consolidated force of the whole empire, against principles which are equally hostile to civil polity, morality and religion, affords a fairer chance of success in opposing them, than any which we are now possessed of. That some local, partial inconveniencies will arise, must be admitted; but if the community at large shall receive benefit, the general advantage will compensate that *particular* injury—and even the local mischief may probably receive commutation of local advantage.—I am

also sensible that some general injury may be sustained, as in the encrease of absentees.—In a competition of difficulties and evils, we must choose those which are the least, and which possibly in the progress of time, may have equivalent advantages substituted in their room:—tranquillity is the great object to be looked for; without that, we cannot prosper, nor avail ourselves of those capacities for wealth and happiness, which nature has conferred upon us:—To acquire it, no concession is too great!—If it can be attained, the inconveniencies arising from the encreased number of absentees would probably be short-lived, and in the introduction of English capital and industry, accompanied by improved morals, and in the substitution of resident traders, artificers, and manufacturers, in the place of absentee-gentry, and in the extension of trade, we may find compensation for the injury.—By rendering the representation popular, at the same time that the influence of government over our representatives will be weakened, the members will find a frequent recurrence and attention to their constituents so necessary to keep up their interest, that with respect to them, the evil consequences arising from the number of absentees will be diminished.

Incorporation

Incorporation is not a surrender of independence,—Independence is merely nominal, without a navy, without sufficient power to defend ourselves against foreign enemies, without internal peace, without money to supply our wants, if not aided by the credit of Great Britain,—without foreign alliance—without external dependant territory,—without responsibility of that minister, in whom in effect rests the executive authority of Ireland,—whose concurrence is necessary to our acts of legislation, and who is bound not to ratify them by annexing the great seal of Great Britain, if he may, by so doing, subject himself to the censure of that country—and with a necessity of following Great Britain in all imperial concerns, participating all its imperial misfortunes, but not entitled to a share of all its imperial advantages.—If to establish the energy, stability, and prosperity of the empire, we give to Great Britain a share of *Irish legislation* and in return receive a due proportion of *imperial* instead of losing, we acquire importance.—We do not give to the representatives of Great Britain a participation, without receiving an adequate return in the power to be acquired by us, of joining in legislation over that country and its dependencies, and of enlarging *insular* into *imperial* dominion and power.—The Parliament will be composed of

of the same estates as at present, but the component numbers of two of them, will be widened in proportion to the encrease of territory over which the legislation is to extend. The power of legislation will be co-extensive with the executive power, and the united Parliament will legislate in common for this kingdom, and for that great country, whose power, resources, liberty, and national spirit, will never submit to any legislature unsuited to manage the concerns of a perfectly free country, through *all its parts*.

Our number of representatives must bear a just proportion to the imperial importance of Ireland, and to the advantage which it is to communicate to the general stock. The prosperity of the empire must be the aggregate of all its constituent parts, and a common legislature must have a common interest:—identify the interests of the two kingdoms, and regulate the proportion of contribution by just and precise rules, derived from the relative abilities of the two kingdoms, then the jealousy of Great Britain will not be disposed to check our growth; its interests will concur with the advancement of our prosperity; they will be one, and the minister will possess the power, by an equal distribution of support, favour, and protection, to promote in the same degree the welfare, strength

strength and resources of every part of the empire.

In the interest which the united parliament will have in deriving aid from our increased prosperity, and in the regulations we may enact, and which that country will not dare to violate, on account of the *dangerous consequences* of such a step, and which its *fair conduct* towards Scotland furnishes a good prognostic of its disposition to adhere to,—we shall find security against illiberal or unfair treatment. We shall have double security, the terms of our compact, and the interest which the empire will have in promoting our wealth, encreasing our resources and power, and forwarding our happiness to the utmost extent. Let us by tranquillizing this country (which will probably require time) render it a truly valuable and profitable part of the empire, contributing to the fund for defraying the expences of the common cause, giving additional force and energy to the executive government, and stability to the establishments civil, military and ecclesiastical, and we shall, by the important situation which we shall then possess in the empire, receive every attention to our welfare, which can promote the commerce and advantage of the entire state.

The benefits we derive under the navigation law, modelled as it now is:—the colony and plantation

tation trade,—the duties on German, and the bounties on Irish linen, the right of importing duty free various articles from England, without which this country could not exist a month, depend on the donation, or permission of Great Britain, and are within the power of its recall (though I am persuaded it has no wish to exert the power) we therefore must not consider ourselves as so firmly fixed in the enjoyment thereof, that they are not to be deemed benefits flowing from that country; they must be taken into our consideration in estimating the advantages which we derive from our connexion with Great Britain; and which a union will perpetuate our right to enjoy. in Ireland the change of a chief governor (unfortunately frequent) is generally the change of an entire system, but an immediately superintending imperial council may communicate uniformity of imperial system to the government of this country, and *permanent evils* may be encountered by *permanent remedies*.—We have derived protection from the naval and military force of Great Britain in the hour of danger, and it is now proposed to us to establish a perpetual right to the same aid, founded on reciprocal advantages, and interchanged amity.

If the establishment of our constitution in church and state, if the redress of peculiar embarrassments, to which no other remedy is likely to be

be effectually applied; if an encrease of capital, trade, manufactures and industry, if tranquillity at home, and defence against foreign enemies, are likely to be the result of a legislative incorporation, we surely ought not to decline adopting a measure which must combine all the powers of the empire, and give them one direction towards the welfare of all its parts, *uninterrupted systematic and vigorous* in its efforts, and rendering every branch of the empire wealthy, prosperous and powerful, as the means of communicating to the empire at large, wealth not to be surpassed, power not to be overcome, and tranquillity the result of liberty, industry and happiness, sufficient to excite the envy of other countries not possessed of such blessings.

